

R Evans Rebuttal Evidence

**Appendix 1**

'Rebuttal Version' of PA Schedule  
21.22 ONFL Preamble and  
Schedule 21.23 RCL Preamble

**Key:**

Normal text – notified version of Schedule 21.22 (June 2022)

Black underline and strikethrough text – recommended amendments based on submissions (August 2023)

Red underline and strikethrough text – recommended amendments QLDC rebuttal (29 September 2023)

## 21.22 Schedule of Landscape Values: Outstanding Natural Feature and Outstanding Natural Landscape Priority Areas

### Preamble

#### Purpose

Schedule 21.22 identifies and describes 24 Outstanding Natural Features (ONF) or Outstanding Natural Landscape (ONL) priority areas (PA), as set out in Strategic Policy 3.3.36.

The PA Schedules are a tool to assist with the identification of the landscape values that are to be protected within each priority area PA and related landscape capacity. They contain both factual information and evaluative content and are to inform plan development and plan implementation processes.

The description of each priority area must be read in full. Each description, as a whole, expresses at a high level, the landscape values and the attributes on which those values derive.

#### Landscape Attributes and Values

The landscape attributes and values identified, relate to the PA as a whole and should are not be taken as prescribing intended to describe the relevant attributes and values of specific sites within the PA.

The PA Schedules refer to plant and animal pests. Plant and animal pests are a negative detract from landscape value. Few, if any of Aotearoa's ONF/Ls are pristine, with varying levels of modification evident (including pests). This means that landscape restoration and enhancement (which can include the management of pests) is typically a highly desirable outcome. The inclusion of pest information is intended as helpful information to guide appropriate future landscape management within the PA. (For example, where a resource consent or plan change is proposed within the PA, the proposal or provisions may seek to specifically address the management of pests).

Given the relatively high level landscape scale of the PAs, a finer grained location-specific assessment of landscape attributes and values would will typically be required for plan development or plan implementation purposes (including any plan changes or resource consent applications) (Refer SP 3.3.43 and SP 3.3.45). The PA Schedules are not intended to provide a complete record and other location specific landscape values may be identified through these finer grained assessment processes.

#### Landscape Capacity

The landscape capacity ratings used in the PA Schedules, which are described below, are intended to reflect the capacity of the landscape or feature to accommodate various types or forms of development, without compromising the identified landscape values. The definition of landscape capacity applied in the PA Schedules is set out in 3.1B.5(b). The capacity ratings, and associated descriptions, are based on an assessment of each PA as a whole, and should are not intended to describe be taken as prescribing the relevant capacity of specific sites within a PA.

September 2023 Further amendments in response to submitter evidence

**Commented [BG1]:** Added for clarity

**Commented [BG2]:** Added for clarity

**Commented [BA3]:** Typographical correction

**Commented [BA4]:** Typographical correction

**Commented [BG5]:** Additional text addresses (at least in part) issues raised in:  
OS 169.5 CPC Trustee Ltd, Timely Giving Ltd and Black Peak Farming Ltd.  
OS146.4 Alpine Deer NZ LP.  
OS 137.9 Robert and Pamela McRae.  
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OS 172.5 Arthurs Point Trustees Limited.  
OS172.5 Arthurs Point Trustees Limited.  
OS172.7 Arthurs Point Trustees Limited.  
OS 167.4 Chilcotin Holdings Limited.

**Commented [BG6]:** Added for clarity

**Commented [BG7]:** Added for clarity

**Commented [BG8]:** Added for clarity

**Commented [BG9]:** OS 67 Julian Haworth on behalf of UCESI.

**Commented [SG10]:**

**Commented [BA11]:** Change made by RE in response to evidence of Blair Devlin for various submitters (Milstead Trust (OS82) and others). Replacing 'should' with 'shall' is not supported as there may be PAs where the identified values are representative of specific sites, even if unintentional.

**Commented [BG12]:** Added to assist clarity.

**Commented [br13]:** Change made by BG in response to James Bentley's EIC on behalf of Darby et al (OS 183).

**Commented [BG14]:** OS 166.27 Real NZ.  
OS 82.12 Blair Devlin on behalf of Milstead Trust.  
OS67.19 Julian Haworth.  
OS 182.9 Jeremy Burdon, Jo Batchelor and Andrea Donaldson.

**Commented [BG15]:** Grammatical correction.

**Commented [BA16]:** Chris Ferguson planning evidence for OS183 and OS220 Henley Downs Farm Holdings Ltd and

**Commented [BG17]:** Added for clarity

**Commented [BG18]:** Grammar correction.

**Commented [BG19]:** Added for clarity.

**Commented [BA20]:** OS6.2 Michael & Bridget Davies and others

**Commented [br21]:** Steve Skelton on behalf of Passion Developments Limited (OS 186) recommends that [5.49]

**Commented [BA22]:** Change made by RE in response to evidence of Blair Devlin for various submitters (Milstead

The descriptions in the PA Schedules are relatively 'high level' and focus on describing potential outcomes that would likely be appropriate within each PA. These descriptions are not a replacement for any relevant policies, rules or standards in the District Plan, and are intended to provide guidance only. Landscape capacity is not a fixed concept, and it may change over time as development occurs or landscape characteristics change. In addition, across each PA there is likely to be variation in landscape capacity, which will require detailed consideration and assessment through future plan changes or resource consent applications.

For the purposes of the PA Schedules, landscape capacity is described using the following five terms:

**Some landscape capacity:** typically this corresponds to a situation in which a careful or measured amount of sensitively located and designed development of this type is unlikely to materially compromise the identified landscape values.

**Limited landscape capacity:** typically this corresponds to a situation in which the landscape is near its capacity to accommodate development of this type without material compromise of its identified landscape values and where only a modest amount of sensitively located and designed development is unlikely to materially compromise the identified landscape values.

**Very limited landscape capacity:** typically this corresponds to a situation in which the landscape is very close to its capacity to accommodate development of this type without material compromise of its identified landscape values, and where only a very small amount of sensitively located and designed development is likely to be appropriate.

**Very limited to no-Extremely limited landscape capacity:** typically this corresponds to a situation in which the landscape is extremely close to its capacity to accommodate development of this type without material compromise of its identified landscape values, and where only an extremely small amount of very sensitively located and designed development is likely to be appropriate.

**No landscape capacity:** typically this corresponds to a situation where development of this type is likely to materially compromise the identified landscape values.

It is intended that the use of this five-tier landscape capacity terminology, along with a description of the characteristics that are likely to frame development that is appropriate (from a landscape perspective), and the description of the landscape attributes and values of the PA will assist in providing high level guidance with respect to the scale, location and characteristics of each landuse type that will protect landscape values in each PA ONF/L.

The capacity descriptions are based on the scale of the priority area and should not be taken as prescribing the capacity of specific sites; landscape capacity may change over time; and across each priority area there is likely to be variations in landscape capacity, which will require detailed consideration and assessment through consent applications.

The PA schedules have been prepared to reflect that the PA mapping extends beyond the Rural Zone. The application of the PA schedules is as follows:

- **Other than the Ski Area Sub Zone (see below), the PA schedules apply (as relevant) to any proposal requiring resource consent in the Rural Zone, including the Rural Industrial Sub Zone.**
- **The PA schedules apply (as relevant) to any activity in the Ski Area Sub Zone that is not provided for by that sub zone.**
- **The PA schedules do not directly apply to proposals requiring resource consent in other zones, including the Ski Area Sub Zones and other exception zones (see 3.1B.5). They but may inform landscape assessments for proposals involving any land within a PA but are not required to be considered for proposals requiring resource consent on land outside of the Rural Zone, including the Rural Industrial Sub Zone.**

#### Activities listed in Policy 3.3.38

Activities listed have the same meaning as their defined term in Chapter 2. Where an activity is not defined by Chapter 2, the following meanings apply:

- **Tourism related activities:** has the same meaning as 'Resort' in Chapter 2.
- **Urban expansions means:**
  - o a change from a rural activity to urban development; or
  - o a change (including any proposed change) in zoning to an urban zone, including any change to the

September 2023 Further amendments in response to submitter evidence

**Commented [br23]:** Change made by BG, relying on OS 114.3 (Woodlot Properties Limited) and ors.

**Commented [BG24]:** OS 166.27 Real NZ.  
OS 82.12 Milstead Trust.  
OS67.19 Julian Haworth.  
OS 182.9 Jeremy Burdon, Jo Batchelor and Andrea Donaldson.  
OS 182.4 Jeremy Burdon, Jo Batchelor and Andrea Donaldson.  
OS 182.25 Jeremy Burdon, Jo Batchelor and Andrea Donaldson.  
OS 114.9 Woodlot Properties Ltd.  
OS 145.3 Jon Waterston.  
OS 142.6 Hansen Family Partnership.  
OS 145.6 Jon Waterston.  
OS 85.7 Sipka Holdings Ltd.  
OS 85.8 Sipka Holdings Ltd.  
OS 138.4 Off Road Adventures Queenstown Limited.  
OS 138.9 Off Road Adventures Queenstown Limited.  
OS 118.8 Robina Bodle Trust.  
OS 84.9 Sir Robert Stewart.  
OS 84.10 Sir Robert Stewart.  
OS 174.9 Redemption Song LLC.  
OS 174.10 Redemption Song LLC.  
OS 36.2 Suzanne Rose.

**Commented [BA25]:** OS84.7, OS89.1, OS113.7, OS113.8, OS119.4, OS129.2, OS129.3, OS130.1, OS133.6, OS133.10, OS153.13 and others

**Commented [BA26]:** Further amendments arising from planning evidence of Chris Ferguson on behalf of various submitters, Morgan Shepherd on behalf of various submitters, and others. Amendments made to reflect that there is no policy requirement to engage with the schedules for resource consents in the Ski Area Sub Zones.

urban growth boundary or any other zone changes (or proposed changes) that would provide for urban development.

- Intensive agriculture: has the same meaning as 'Factory Farming' in Chapter 2.
- Mineral extraction: has the same meaning as 'Mining Activity in Chapter 2.
- Farm scale quarries: means mining of aggregate for farming activities on the same site.
- Renewable energy generation: has the same meaning as Renewable Electricity Generation and Renewable Electricity Generation Activities in Chapter 2.
- Forestry: has the same meaning as Forestry Activity in Chapter 2.
- Rural living: has the same meaning as rural living in Chapter 3 section 3.5B.5.]

The range of landuse activities addressed in the capacity section of the PA Schedules corresponds to the series of activities prescribed by SP 3.3.38 known to be of relevance at the time of the drafting of the schedules. It is acknowledged that this does not span the full array of landuse activities that may be contemplated in the PAs over time. In the case of a future application for a land-use activity that is not addressed in a PA Schedule, an assessment of landscape attributes, values and capacity applying the principles set out in 3.3.43, 3.3.45 and 3.3.46 would be required.

**Commented [BA27]:** OS121.4 Andrew Donaldson and others  
Note there are multiple submissions seeking alignment clarity regarding terminology used in the schedules)

**Commented [BA28]:** Chris Ferguson planning evidence for OS183 and OS220 Henley Downs Farm Holdings Ltd and others, to assist with clarity

**Commented [BG29]:** OS121.4 Andrew Donaldson and others regarding terminology used in the schedules, and for clarity

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## 21.23 Schedule of Landscape Values: Upper Clutha Rural Character Landscape Priority Areas

### Preamble

#### Purpose

Schedule 21.22 identifies and describes ~~24 Outstanding Natural Features (ONF) or Outstanding Natural Landscape (ONL)~~ 5 Rural Character Landscape (RCL) priority areas (PA), as set out in Strategic Policy ~~3.3.369~~.

The PA Schedules are a tool to assist with the identification of the landscape values that are to be protected within each priority area – PA and related landscape capacity. They contain both factual information and evaluative content and are to inform plan development and plan implementation processes.

The description of each priority area must be read in full. Each description, as a whole, expresses at a high level, the landscape values and the attributes on which those values derive.

#### Landscape Attributes and Values

The landscape attributes and values identified, relate to the PA as a whole and should are not be taken as prescribing intended to describe the relevant attributes and values of specific sites within the PA.

The PA Schedules refer to plant and animal pests. Plant and animal pests are a negative detract from landscape value. Few, if any of Aotearoa's ONF/Ls are pristine, with varying levels of modification evident (including pests). This means that landscape restoration and enhancement (which can include the management of pests) is typically a highly desirable outcome. The inclusion of pest information is intended as helpful information to guide appropriate future landscape management within the PA. (For example, where a resource consent or plan change is proposed within the PA, the proposal or provisions may seek to specifically address the management of pests).

Given the relatively high level landscape scale of the PAs, a finer grained location-specific assessment of landscape attributes and values would will typically be required for plan development or plan implementation purposes (including any plan changes or resource consent applications). (Refer SP 3.3.43 and SP3.3.45). The PA Schedules are not intended to provide a complete record and other location specific landscape values may be identified through these finer grained assessment processes.

**Commented [BG1]:** Added for clarity

**Commented [BG2]:** Added for clarity

**Commented [br3]:** Change made by BG in response to D Lucas EIC for UCESI (OS 67).

**Commented [BA4]:** Typographical correction

**Commented [BA5]:** Typographical correction

**Commented [BA6]:** Typographical correction

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**Commented [BA12]:** Change made by RE in response to evidence of Blair Devlin for various submitters (Milstead Trust (OS82) and others). Replacing 'should' with 'shall' is not supported as there may be PAs where the capacity is representative of specific sites, even if unintentional.

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Landscape character and visual amenity values are expressed through the 'three dimensioned' structure of the PA RCL Schedules (i.e. physical, associative and perceptual / sensory). The concept of 'landscape character' encompasses all three dimensions of landscape. 'Visual amenity values' typically draw from the perceptual dimension, however there is inevitably an overlap with the physical dimension.

With respect to the link between the PA RCL Schedules and PDP Policy 3.3.41, the key public routes and viewpoints are typically identified in the description of the 'Important land use patterns and features', with key scenic routes identified under 'Important recreation attributes and values' and/or 'Particularly important views to and from the area'.

The relationship between the PA RCL and the wider Rural Character Landscape context, the Outstanding Natural Features within the Upper Clutha Basin and the Outstanding Natural Landscapes that frame the Upper Clutha Basin are typically addressed in the description of 'Important land use patterns and features', 'Important shared and recognised attributes and values', 'Particularly important views to and from the area', and 'Aesthetic qualities and values'.

#### Landscape Capacity

The landscape capacity ratings used in the PA Schedules, which are described below, are intended to reflect the capacity of the landscape or feature to accommodate various types or forms of development, without compromising the identified landscape values. The definition of landscape capacity applied in the PA Schedules is set out in 3.1B.5(b).

The capacity ratings, and associated descriptions, are based on an assessment of each PA as a whole, and ~~should be not intended to describe be taken as prescribing~~ the relevant capacity of specific sites within a PA.

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The capacity descriptions are based on the scale of the priority area and should not be taken as prescribing the capacity of specific sites; landscape capacity may change over time; and across each priority area there is likely to be variations in landscape capacity, which will require detailed consideration and assessment through consent applications.

**Commented [BG20]:** This suggested text corresponds to the material that was recommended in the PA Methodology Report but was mistakenly excluded from the notified material.

**Commented [BG21]:** Added for clarity.

**Commented [BA22]:** OS6.2 Michael & Bridget Davies and others

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September 2023 Further amendments in response to submitter evidence

### Activities listed in Policy 3.3.41

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The range of landuse activities addressed in the capacity section of the PA Schedules corresponds to the series of activities prescribed by SP 3.3.41 known to be of relevance at the time of the drafting of the schedules. It is acknowledged that this does not span the full array of landuse activities that may be contemplated in the PAs over time. In the case of a future application for a land-use activity that is not addressed in a PA Schedule, an assessment of landscape attributes, values and capacity applying the principles set out in 3.3.43, 3.3.45 and 3.3.46 would be required.

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**Commented [BA28]:** Chris Ferguson planning evidence for OS183 and OS220 Henley Downs Farm Holdings Ltd and others, added for clarity, and consistency with 21.22 Preamble

**Commented [BG29]:** OS121.4 Andrew Donaldson and others  
regarding terminology used in the schedules, and for clarity